

BORA LASKIN LAW LIBRARY



3 1761 10083893 7

CURRENT DEVELOPMENTS IN COMMERCIAL LAW --
SALE OF GOODS

Part 2

Supplementary Materials
for use in 1980



LAW LIBRARY

JAN 23 1980

FACULTY OF LAW
UNIVERSITY OF TORONTO

CURRENT DEVELOPMENTS IN COMMERCIAL LAW --
SALE OF GOODS

Part 2

Supplementary Materials
for use in 1980

Professor Ziegel

(Seminar)

For Student Use Only
Not for Commercial Sale

Kf
888
25
1980
pt.
= 1

Digitized by the Internet Archive
in 2018 with funding from
University of Toronto

TABLE OF CONTENTS

-	Syllabus of Seminar and related details (to be separately distributed)	
I.	REFORMING SALES LAW - PROBLEMS AND CHALLENGES	PAGE NO.
1.	Gilmore, "On the Difficulties of Codifying Commercial Law".....	1
II.	CHARACTERIZATION OF EQUIPMENT LEASES AND CONSEQUENCES THEREOF	
1.	Adkins and Bardos, "Leasing of Industrial Equipment"	16
2.	Extract, Hawkland, "The Impact of the UCC on Equipment Leasing".....	23
3.	Varcoe, "Finance Leasing - An Analysis of the Lessor's Rights Upon Default by the Lessee".....	45
4.	Puritan Leasing Co. v. August.....	66
5.	Unilease Inc. v. York Steel Construction Ltd.....	72
III.	"BATTLE OF THE FORMS"	
1.	Roto-Lith Ltd. v. Bartlett & Co. Inc.....	75
2.	In the Matter of Doughboy Industries Inc.....	77
3.	Butler Machine Tool Co. v. Ex-Cell-O Corp. Ltd.....	81
4.	Extract, Macaulay, "The Use and Non-use of Contracts in the Manufacturing Industry".....	86
5.	Shanker, "Contract by Disagreement!?".....	96
6.	Duesenberg, "Contract Creation: The Continuing Struggle with Additional and Different Terms under UCC 2-207".....	103

ORIGINAL ARTICLES

THE ANTHROPOLOGY OF THE
MOUNTAINS OF THE CAUCASUS

BY
DR. H. H. S. REYNOLDS

THE CAUCASUS, AS A REGION OF
ANTHROPOLOGICAL INTEREST

BY
DR. H. H. S. REYNOLDS

THE CAUCASUS, AS A REGION OF
ANTHROPOLOGICAL INTEREST

BY
DR. H. H. S. REYNOLDS

THE CAUCASUS, AS A REGION OF
ANTHROPOLOGICAL INTEREST

BY
DR. H. H. S. REYNOLDS

THE CAUCASUS, AS A REGION OF
ANTHROPOLOGICAL INTEREST

BY
DR. H. H. S. REYNOLDS

THE CAUCASUS, AS A REGION OF
ANTHROPOLOGICAL INTEREST

BY
DR. H. H. S. REYNOLDS

THE CAUCASUS, AS A REGION OF
ANTHROPOLOGICAL INTEREST

BY
DR. H. H. S. REYNOLDS

THE CAUCASUS, AS A REGION OF
ANTHROPOLOGICAL INTEREST

BY
DR. H. H. S. REYNOLDS

THE CAUCASUS, AS A REGION OF
ANTHROPOLOGICAL INTEREST

BY
DR. H. H. S. REYNOLDS

IV. PAROL EVIDENCE RULE	PAGE NO.
1. Hawrish v. Bank of Montreal.....	115
2. J. Evans & Son Ltd. v. Andrea Merzario Ltd.....	118
3. Extract, Law Commission (U.K.), Working Paper No. 70: Law of Contract, The Parol Evidence Rule.....	121
4. "The Parol Evidence Rule: Is it Necessary".....	129
5. Extract, Shanker, "The Uncertainty of the Written Contract".....	146
V. CHARACTERIZATION OF SELLER'S REPRESENTATIONS AND PROMISES AND CONSEQUENCES THEREOF	
1. Allan, "The Scope of the Contract".....	165
2. Extract, Reiter, "Contract, Tort, Relations and Reliance".....	180
VI. MANUFACTURER'S LIABILITY TO THE ULTIMATE BUYER FOR BREACH OF EXPRESS AND IMPLIED WARRANTIES	
1. Morrow v. New Moon Homes Inc.....	253
2. Rivtow Marine v. Washington Ironworks.....	265
3. Ital-Canadian Investments Ltd. v. North Shore Plumbing and Heating Co.....	271
4. Fuller v. Ford Motor Co. of Canada.....	275
5. General Motors v. Kravitz.....	279
VII. COMPUTATION OF DAMAGES FOR BREACH AND THE RULE IN <u>HADLEY v. BAXENDALE</u> : HAS THE PENDULUM SWUNG TOO FAR?	
1. Extract, Danzig, "Hadley v. Baxendale: A Study in the Industrialization of the Law".....	296
2. Shanker, "A Retreat to Progress (A Proposal to Eliminate Damage Awards for Loss of Business Profits)"	303
VIII. BUYER'S RIGHT TO REJECT, REVOCATION OF ACCEPTANCE, AND SELLER'S RIGHT TO CURE	
1. Priest, "Breach and Remedy for the Tender of Non- conforming Goods under the UCC: An Economic Approach"	315

IX. ROLE OF TITLE CONCEPT	PAGE NO.
1. Llewellyn, "Through Title to Contract and a Bit Beyond".....	357
X. LEGAL IMPLICATIONS OF THE CONTAINERIZATION REVOLUTION	
1. Clippings, Financial Post.....	402
2. Sassoon, "Trade Terms and the Container Revolution".	408
3. Simon, "Container Law: A Recent Reappraisal".....	419
4. Draft Convention on Combined Transport: Tokyo Rules	426
XI. LETTERS OF CREDIT FINANCING	
1. CIBC Brochure (to be separately distributed)	
2. Miller, "Problems & Patterns of the Letter of Credit"	431
3. Ellinger, "Standby Letters of Credit".....	471
XII. INTERNATIONAL SALE ASPECTS	
1. Honnold, "The U.N. Commission on International Trade Law: Its Progress Towards Uniform Law".....	499
2. Ryan, "Australia and A Uniform Law of International Sales".....	507
3. Draft Convention on Contracts for the International Sale of Goods.....	534